## Case 6:21-bk-11030-WJ Doc 11 Filed 03/02/21 Entered 03/02/21 11:25:17 Desc Main Document Page 1 of 22

| Attorney or Party Name, Address, Telephone & FAX Numbers, State Bar Number & Email Address Summer Shaw, Esq. (SBN 283598) SHAW & HANOVER, PC 75100 Mediterranean Avenue Palm Desert, CA 92211 Telephone No.: (760) 610-0000 Facsimile No.: (760) 687-2800 Email: ss@shaw.law | FOR COURT USE ONLY   |
|--|--|
|  |  |
| Debtor appearing without attorney  Attorney for Debtor, Perry C Robertson  |  |
|  | BANKRUPTCY COURT<br>ALIFORNIA-RIVERSIDE DIVISION   |
| Perry C Robertson  | CASE NUMBER: 6:21-bk-11030-WJ CHAPTER 13   |
|  | DEBTOR'S NOTICE OF  (1) 11 U.S.C. SECTION 341(a) MEETING  OF CREDITORS, AND (2) HEARING ON  CONFIRMATION OF CHAPTER 13 PLAN,  WITH COPY OF CHAPTER 13 PLAN   |
|  | SECTION 341(a) MEETING OF CREDITORS: DATE: 4/07/2021 TIME: 8:00 AM  PLAN CONFIRMATION HEARING: DATE: 4/21/2021 TIME: 2:00 PM   |
| Debtor(s).   | (*Debtor(s) must give at least 21 days' notice of response deadline and 35 days' notice of confirmation hearing. This notice initially must be served at least 14 days before the date first set for the Section 341(a) meeting. FRBP 2002(a)(9)&(b)(3), 3015(f) LBR 3015-1(b)(3), (d)(1) & (g)(1) |

# NOTICE TO ALL CREDITORS AND OTHER INTERESTED PARTIES:

- 1. Debtor will seek approval of the attached Chapter 13 Plan (Plan) at the Plan confirmation hearing listed above.
- 2. Any proposed modification of secured claims in the Plan will be by separate motion using LBR Form F 4003-2.4.JR.LIEN.MOTION, F 4003-2.1.AVOID.LIEN.RP.MOTION or F 4003-2.2.AVOID.LIEN.PP.MOTION as applicable.

"Bankruptcy Code" and "11 U.S.C." refer to the United States Bankruptcy Code, Title 11 of the United States Code.
"FRBP" refers to the Federal Rules of Bankruptcy Procedure. "LBR" and "LBRs" refer to the Local Bankruptcy Rule(s) of this court

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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|----------------------------------|---|
| 3.                               | Debtor and Attorney for Debtor are required to appear at the 11 U.S.C. Section 341(a) meeting of creditors; and all other interested parties are invited, but not required, to attend.  |
| 4.                               | You should read these papers carefully and discuss them with your attorney, if you have one. (If you do not have an attorney, you may wish to consult one.)   |
| SE                               | CTION 341(A) MEETING LOCATION:  |
|                                  | 915 Wilshire Boulevard, 10th Floor, Room 1, Los Angeles, CA<br>411 West Fourth Street, 1st Floor, Room 1-154, Santa Ana, CA<br>21041 Burbank Boulevard, 1st Floor, Suite 100, Woodland Hills, CA<br>1415 State Street, 1st Floor, Room 148, Santa Barbara, CA<br>VIDEO CONFERENCE, GOTO TRUSTEE WEBSITE FOR INSTRUCTIONS, WHICH ARE ALSO ATTACHED AS PAGE 7   |
| PL/                              | AN CONFIRMATION HEARING LOCATION:   |
|                                  | 255 East Temple Street, Los Angeles, CA 21041 Burbank Boulevard, Woodland Hills, CA 3420 Twelfth Street, Riverside, CA urtroom: 304 Floor: 3rd  |
| ime                              | JECTIONS TO PLAN: If you object to the confirmation of the Plan, you must file your objection in writing with the court and serve a y of it on Debtor, Attorney for Debtor, and the Chapter 13 Trustee before the Plan objection deadline stated above. Unless you file a written objection to the Plan and appear at the confirmation hearing, the court may treat your failure to do so as a forfeiture valver of your right to object to the plan, and may approve the Plan.   |
| <b>THE</b><br>Plar<br>he<br>dete | PEARANCES OF DEBTOR AND ATTORNEY FOR DEBTOR ARE REQUIRED AT BOTH THE SECTION 341(a) MEETING AND E PLAN CONFIRMATION HEARING. If the Chapter 13 Trustee determines at the Section 341(a) meeting that the case is ready for a confirmation, the Chapter 13 trustee may, but is not required to, stipulate that Debtor and counsel are excused from appearance at Plan confirmation hearing (if the assigned judge permits the Chapter 13 Trustee to waive appearances). If the Chapter 13 Trustee remines at the Section 341(a) meeting that the Plan is NOT ready for confirmation, the Chapter 13 Trustee may, but is not required to section 341(a) meeting and/or to required the section 341(b) meeting and/or to required the section 341(c) meeting that the Plan is NOT ready for confirmation, the Chapter 13 Trustee may, but is not required to a section 341(c) meeting that the Plan is NOT ready for confirmation and the Chapter 13 Trustee may, but is not required to a section 341(c) meeting that the Plan is NOT ready for confirmation and the Chapter 13 Trustee may, but is not required to a section 341(c) meeting that the Plan is NOT ready for confirmation at the Chapter 13 Trustee may, but is not required to a section 341(c) meeting that the section 341(c) meeting that 341(c) meeting that 341(c) |

Print name of law firm (if applicable)

#### PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

75100 Mediterranean Avenue Palm Desert, CA 92211

A true and correct copy of the foregoing document entitled (specify): <u>DEBTOR'S NOTICE OF (1) 11 U.S.C. SECTION 341(a)</u>
<u>MEETING OF CREDITORS, AND (2) HEARING ON CONFIRMATION OF CHAPTER 13 PLAN, WITH COPY OF CHAPTER 13 PLAN</u> will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

PLAN will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below: 1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR. the foregoing document will be served by the court via NEF and hyperlink to the document. On 03/02/2021 . I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below: Rod Danielson (TR) notice-efile@rodan13.com Summer M Shaw ss@shaw.law, shawsr70161@notify.bestcase.com;shawsr91811@notify.bestcase.com United States Trustee (RS) ustpregion16.rs.ecf@usdoj.gov Service information continued on attached page 2. SERVED BY UNITED STATES MAIL: On 03/02/2021, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed. HONORABLE JUDGE'S COPY **DEBTOR** Honorable Wayne E. Johnson Perry C Robertson United States Bankruptcy Court 66985 Cosa Grande Desert Hot Springs, CA 92240 Central District of California 3420 Twelfth Street, Suite 384 Riverside, CA 92501 Service information continued on attached pages 4-6 3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed. Service information continued on attached page I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. 03/02/2021 Jennifer Blanton Printed Name Date

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Served by U.S. Main Document Page 4 of 22 (Continued);

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Alcam Medical Inc. 1281 North Gene Autry Trail Suite K Palm Springs, CA 92262-5418

Alcam Medical Inc. Attn: Alpha Sanusi Agent for Service of Process 1760 Chicago Avenue, Suite K21 Riverside, CA 92507-2361

Alltran Financial, LP PO Box 4043 Concord, CA 94524-4043

Capital One Bank (USA), N.A. Attn: Agent for Service of Process American InfoSource W515 N. Santa Fe Avenue )klahoma City, OK 73118-7901

CashNetUSA Attn: Agent for Service of Process C T Corporation System 208 SO LaSalle Street, Suite 814 Chicago, IL 60604-1135

Charter Communications, Inc. Attn: Officer, Director or Managing Agent 400 Atlantic Street Stamford, CT 06901-3512

Jitibank, N.A. Attn: Agent for Service of Process 5800 S. Corporate Place 5ioux Falls, SD 57108-5027

Credit One Bank, N.A. Attn: Agent for Service of Process b801 South Cimarron Road Las Vegas, NV 89113-2273

p) RESURGENT CAPITAL SERVICES O BOX 2568 REENVILLE SC 29602-2568

p) DIRECTV LLC YTTN BANKRUPTCIES ₹0 BOX 6550 REENWOOD VILLAGE CO 80155-6550

Alcam Medical Inc. Attn: Officer, Director or Managing Agent 1760 Chicago Avenue, Suite L21 Riverside, CA 92507-2326

Cach, LLC 55 Beattie Place Greenville, SC 29601-2165

Capital One Bank (USA), N.A. Attn: Agent for Service of Process Corporation Service Company 100 Shockoe Slip, 2nd Floor Richmond, VA 23219-4100

CashNetUSA Attn: Officer, Director or Managing Agent 175 W. Jackson Boulevard, Ste, 1000 Chicago, IL 60604-2863

CitiFinancial 605 Munn Road Fort Mill, SC 29715-8421

Citibank, N.A. Attn: Officer, Director or Managing Agent 5800 S. Corporate Place Sioux Falls, SD 57108-5027

Credit One Bank, N.A. Attn: Officer, Director or Managing Agent 6801 South Cimarron Road Las Vegas, NV 89113-2273

Desert Regional Medical Center Inc. Attn: Agent for Service of Process C T Corporation System 818 West Seventh Street, Suite 930 Los Angeles, CA 90017-3476

DirecTV International, Inc. Attn: Agent for Service of Process CT Corporation System 818 West Seventh Street, Suite 930 Los Angeles, CA 90017-3476

Page 4

Alltran Financial, LP 5800 North Course Drive Houston, TX 77072-1613

Cach, LLC Attn: Agent for Service of Process SSC One Inc. 1926 Richland Street Alken, SC 29801-4793

Capital One Bank (USA), N.A. Attn: Officer, Director or Managing Agent 4851 Cox Road Glen Allen, VA 23060-6293

Charter Communications, Inc. Attn: Agent for Service of Process CSC - Lawyers Inc. Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833-3502

CitiFinancial, Inc. PO Box 70918 Charlotte, NC 28272-0918

Client Services, Inc. 3451 Harry S. Truman Boulevard Saint Charles, MO 63301-9816

Credit One Bank, N.A. PO Box 98872 Las Vegas, NV 89193-8872

Desert Regional Medical Center Inc. Attn: Officer, Director or Managing Agent 14201 Dallas Parkway. Dallas, TX 75254-2916

DirecTV International, Inc. Attn: Officer, Director or Managing Agent 2260 E. Imperial Highway El Segundo, CA 90245-3501

#### Case 6:21-bk-11030-WJ

Enhanced Recovery Company PO Box 57547 Jacksonville, FL 32241-7547

Pingerhut Direct Marketing Inc. Attn: Officer Director or Managing Agent 5509 Flying Cloud Drive Eden Prairie, MN 55344-3307

Frontier Communications Corporation Attn: Officer, Director or Nanaging Agent 401 Merritt 7 Norwalk, CT 06851-1000

Fregory Funding, Inc.
Attn: Agent for Service of Process
CT Corporation System
318 West Seventh Street, Suite 930
Los Angeles, CA 90017-3476

fnternal Revenue Service
Centralized Insolvency Operation
PO Box 7346
Philadelphia, PA 19101-7346

(p) JORA CREDIT 7701 LAS COLINAS RIDGE SUITE #650 CRVING TX 75063-8114

LVNV Funding, LLC Attn: Agent for Service of Process Jorporation Service Company 308 Meeting Street West Columbia, SC 29169-7535

Aidland Credit Management, Inc. O Box 301030 Los Angeles, CA 90030-1030

Ioney Mart Financial Services
{ttn: Officer, Director or
lanaging Agent
14 E. Swedesford Road, Suite 150
lalvern, PA 19355-1488

Regional Acceptance Corporation Attn: Agent for Service of Process IT Corporation System 118 West Seventh Street, Suite 930 408 Angeles, CA 90017-3476

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Enhanced Recovery Company, LLC
Attn: Agent for Service of Process
CSC - Lawyers Inc. Services
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833-3502

(p) FRONTIER COMMUNICATIONS BANKRUPTCY DEPT 19 JOHN STREET MIDDLETOWN NY 10940-4918

Gregory Funding PO Box 25430 Portland, OR 97298-0430

Gregory Funding, Inc. Attn: Officer, Director or Managing Agent 13190 SW 68th Parkway, Suite 200 Portland, OR 97223-8368

Jefferson Capital Systems, LLC Attn: Agent for Service of Process CSC - Lawyers Inc. Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833-3502

Jora Credit of California, Inc. Attn: Agent for Service of Process CSC - Lawyers Inc. Services 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833-3502

MRS BPO, LLC Attn: Agent for Service fo Process Cogency Global Inc. 1325 J. Street, Suite 1550 Sacramento, CA 95814-2976

Midland Credit Managment Inc. Attn: Agent for Service of Process CSC - Lawyers Inc. Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833-3502

Plaza Services, LLC Attn: Agent for Service of Process Orion State Licensing, Inc. 15615 Alton Parkway, Suite 450 Irvine, CA 92618-3308

Regional Acceptance Corporation Attn: Officer, Director or Managing Agent 1424 East Fire Tower Road Greenville, NC 27858-4105

Page 5

Enhanced Recovery Company, LLC Attn: Officer, Director or Managing Agent 8014 Bayberry Road Jacksonville, FL 32256-7412

Frontier Communications Corp.
CSC - Lawyers Inc. Service
Agent for Service of Process
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833-3502

Gregory Funding, Inc. 18682 Beach Boulevard Suite 250 Huntington Beach, CA 92648-2052

Gregory Funding, Inc. PO Box 230579 Portland, OR 97281-0579

(p) JEFFERSON CAPITAL SYSTEMS LLC PO BOX 7999 SAINT CLOUD MN 56302-7999

Jora Credit of California, Inc. Attn: Officer, Director or Managing Agent 7701 Las Colinas Ridge Irving, TX 75063-8081

MRS BPO, LLC Attn: Officer, Director or Managing Agent 1930 Olney Avenue Cherry Hill, NJ 08003-2016

Midland Credit Managment Inc. Attn: Officer, Director or Managing Agent 350 Camino De La Reina, Ste. 300 San Diego, CA 92108-3007

(p) PLAZA SERVICES LLC
ATTN MANNY WILLIAMS
110 HAMMOND DRIVE
SUITE 110
ATLANTA GA 30328-4806

Regional Acceptance Corporation c/o Katrina D. Ramey 200 West Second Street, 3rd Floor Winston Salem, NC 27101-4019

#### Case 6:21-bk-11030-WJ

Resurgent Capital Services Attn: Bankruptcy PO Box 10497 Ereenville, SC 29603-0497

\ise Credit
PO Box 101808
Fort Worth, TX 76185-1808

Riverside County Tax Collector Attn: Matt Jennings >O Box 12005 Riverside, CA 92502-2205

htatebridge Company, LLC
httn: Agent for Service of Process
Incorp Services, Inc.
5716 Corsa Avenue, Suite 110
Phousand Oaks, CA 91362-7354

yynchrony Bank httn: Officer, Director or Annaging Agent 70 West Election Road, Suite 125 waper, UT 84020-6425

D Bank USA, N.A. httn: Agent for Service of Process 2035 Limestone Road hilmington, DE 19808-5529

Farget
7/o Financial & Retail Services
Wailstop BT
O Box 9475
Whinneapolis, MN 55440-9475

lebBank
lttn: Officer, Director or
lanaging Officer
:15 South State Street, Suite 1000
lalt Lake City, UT 84111-2336

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Resurgent Capital Services LP
Attn: Agent for Service of Process
CSC - Lawyers Inc. Service
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833-3502

Rise Credit of California, LLC Attn: Agent for Service of Process CSC - Lawyers Inc. Service 2710 Gateway Oaks Drive, Suite 150N Sacramento, CA 95833-3502

Riverside County Tax Collector Matt Jennings Treasurer-Tax Collect 4080 Lemon Street Riverside, CA 92501-3609

Statebridge Company, LLC Attn: Officer, Director or Managing Agent 6061 South Willow Drive, Suite 300 Englewood, CO 80111-5151

Synchrony Bank Attn: Officer, Director or Managing Agent 777 Long Ridge Road Stamford, CT 06902-1247

TD Bank USA, N.A. Attn: Officer, Director or Managing Officer 2035 Limestone Road Wilmington, DE 19808-5529 Resurgent Capital Services LP Attn: Officer, Director or Managing Agent 55 Beattie Place, Suite 425 Greenville, SC 29601-2165

Rise Credit of California, LLC Attn: Officer, Director or Managing Agent 4150 International Plaza, Suite 300 Fort Worth, TX 76109-4819

State of California Franchise Tax Board Bankruptcy Section MS A340 PO Box 2952 Sacramento, CA 95812-2952

Synchrony Bank Attn: Agent for Service of Process C T Corporation System 818 West Seventh Street, Suite 930 Los Angeles, CA 90017-3476

Synchrony Bank (BK Notice) Attn: Officer, Director or Managing Agent PO Box 103104 Roswell, GA 30076-9104

Target
PO Box 673
Minneapolis, MN 55440-0673

ZBS Law, LLP 30 Corporate Park, Suite 450 Irvine, CA 92606-3401

Page le

# HOW TO APPEAR AT RIVERSIDE §341(a) MEETINGS OF CREDITORS FOR CHAPTER 13 CASES

By order of the United States Trustee, until further notice all Riverside Chapter 13 341(a) meetings of creditors will be conducted <u>telephonically (or on video)</u>.

341(a) meetings will be conducted utilizing ZOOM software (<a href="www.zoom.com">www.zoom.com</a>) which permits parties to communicate electronically (similar to Skype or Facetime) with or without video. You should consider downloading the ZOOM software on your telephone or computer in order to familiarized yourself with how ZOOM works.

To appear at a Riverside Chapter 13 section 341(a) meeting of creditors, you have two options:

#### By Video

On the day of the meeting, at approximately 10 minutes before the time scheduled for your meeting, LOG IN:

| For Judge Johnson (WJ) Cases          |
|---------------------------------------|
| (Bridget Kelly appearing for Trustee) |
| input or Paste the following URL:     |
| https://us04web.zoom.us/i/5835677911  |

For Judge Houle (MH) Cases (Joey DeLeon appearing for Trustee) Input or Paste the following URL: https://zoom.us/i/3386281052 For Judge Yun (SY) Cases (Susan Luong appearing for Trustee) Input or Paste the following URL: https://zoom.us/l/5274701001

# By Telephone (Audio Only)

On the day of the meeting, at approximately 10 minutes before the time scheduled for your eeting, DIAL:

| For Judge Johnson (WJ) Cases          |
|---------------------------------------|
| (Bridget Kelly appearing for Trustee) |
| Tel. 1+ (301) 715-8592                |
| Meeting ID number: 583 567 7911       |

For Judge Houle (MH) Cases (Joey DeLeon appearing for Trustee) Tel. 1+ (301) 715-8592

Meeting ID Number:338 628 1052

For Judge Yun (SY) Cases (Susan Luong appearing for Trustee) Tel. 1+ (301) 715-8592

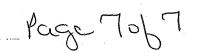
Meeting ID Number: 527 470 1001

ONCE YOU HAVE CONNECTED, PLEASE MUTE YOUR ZOOM APPLICATION. YOU SHOULD STILL BE ABLE TO HEAR THE PROCEEDINGS. 10 OR MORE MEETINGS MAY BE SCHEDULED FOR THE SAME TIME (for example 10 cases at 8:00 A.M., 10 at 9:00 A.M., etc.) SO IT IS IMPORTANT THAT YOU LISTEN FOR YOUR CASE TO BE CALLED (LISTEN FOR DEBTOR'S LAST NAME AND CASE NUMBER), THEN UN-MUTE AND BE SURE TO IDENTIFY YOURSELF ON THE RECORD WHEN REQUESTED BY THE TRUSTEE'S STAFF ATTORNEY.

# YOU MAY BE REQUIRED TO WAIT FOR UP TO ONE HOUR FOR YOUR CASE TO

**BE CALLED**. PLEASE BE PATIENT and respectful of others when your microphone is on or if you are listening on your telephone. We are all working together to try to keep everyone safe while still providing this necessary and beneficial service, and the Trustee is grateful for your cooperation and assistance at this difficult time.

\*\*\*\*\*\*\*\*Creditors are encouraged to file <u>claims</u> and if appropriate, <u>objections</u> early, so the Trustee is able to address them with the debtor at the creditor meeting\*\*\*\*\*\*\*



| Attorney or Party Name, Address, Telephone & FAX Numbers, State Bar<br>Number & Email Address<br>Summer Shaw, Esq. (SBN 283598)<br>SHAW & HANOVER, PC<br>75100 Mediterranean Avenue<br>Palm Desert, CA 92211 | FOR COURT USE ONLY   |
|--|--|
| Telephone No.: (760) 610-0000<br>Fax No.: (760) 687-2800<br>Email: ss@shaw.law   | -  |
| ·  |  |
| ☐ Debtor appearing without attorney  |  |
| Attorney for Debtor  UNITED STATES BANK CENTRAL DISTRICT C   |  |
| List all names (including trade names) used by Debtor within the last 8 years.   | CASE NUMBER:   |
| In re: Perry C Robertson AKA Chuck Robertson; AKA Perry Charles Robertson  | CHAPTER 13 PLAN  Original  1st Amended*  2nd Amended*  Amended*                              |
|  | *list below which sections have been changed:  |
|  | [FRBP 3015(b); LBR 3015-1] 11 U.S.C. SECTION 341(a) CREDITORS' MEETING: Date: Time: Address: |
|  | PLAN CONFIRMATION HEARING: [LBR 3015-1(d)] Date: Time: Address:                              |
| Debtor(s).   | - (  |

"Bankruptcy Code" and "11 U.S.C." refer to the United States Bankruptcy Code, Title 11 of the United States Code.
"FRBP" refers to the Federal Rules of Bankruptcy Procedure. "LBR" and "LBRs" refer to the Local Bankruptcy Rule(s) of this court.

#### Part 1: PRELIMINARY INFORMATION

TO DEBTOR (the term "Debtor" includes and refers to both spouses as Debtors in a joint bankruptcy case): This Chapter 13 Plan (Plan) sets out options that may be appropriate in some cases, but the presence of an option in this Plan does not indicate that the option is appropriate, or permissible, in your situation. A Plan that does not comply with local rules and judicial rulings may not be confirmable. You should read this Plan carefully and discuss it with your attorney if you have one. If you do not have an attorney, you may wish to consult one.

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TO ALL CREDITORS: This Plan is proposed by Debtor and your rights may be affected by this Plan. Your claim may be reduced, modified, or eliminated. You should read this Plan carefully and discuss it with your attorney if you have one. If you do not have an attorney, you may wish to consult one.

# PLEASE NOTE THAT THE PROVISIONS OF THIS PLAN MAY BE MODIFIED BY ORDER OF THE COURT.

If you oppose this Plan's treatment of your claim or any provision of this Plan, you or your attorney must file a written objection to confirmation of the Plan at least 14 days before the date set for the hearing on confirmation. However, the amounts listed on a proof of claim for an allowed secured or priority claim control over any contrary amounts listed in the Plan. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See FRBP 3015. In addition, you must file a timely proof of claim in order to be pald under any plan. See LBR 3015-1 and FRBP 3002(a).

Defaults will be cured using the interest rate set forth below in the Plan.

# The following matters may be of particular importance to you:

| Debtor must check one box on each line to state whether or not this Plan includes each of the following items. If an item is checked as "Not Included," if both boxes are checked, or neither box is checked, the item will be ineffective if set out later as a provision in this Plan.               |
|--|
| <ul> <li>1.1 Valuation of property and avoidance of a lien on property of the bankruptcy estate, set out in Class 3B and/or Section IV (11 U.S.C. § 506(a) and (d)):</li> <li>☐ Included</li> <li>☑ Not included</li> </ul>  |
| <ul> <li>1.2 Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section IV (11 U.S.C. § 522(f)):</li> <li>☐ Included</li> <li>☑ Not included</li> </ul>  |
| <ul> <li>1.3 Less than full payment of a domestic support obligation that has been assigned to a governmental unit, pursuant to 11 U.S.C. §1322(a)(4). This provision requires that payments in Part 2 Section I.A. be for a term of 60 months:</li> <li>☐ Included</li> <li>☑ Not included</li> </ul> |
| 1.4 Other Nonstandard Plan provisions, set out in Section IV: ☐ Included ☑ Not included  |
| ALL CREDITORS ARE REQUIRED TO FILE A PROOF OF CLAIM IN ORDER TO HAVE AN ALLOWED CLAIM, EXCEPT AS PROVIDED IN FRBP 3002(a). A Debtor whose Plan is confirmed may be eligible thereafter to receive a discharge of debts to the extent specified in 11 U.S.C. § 1328.                                    |
| Regardless of whether this Plan treats a claim as secured or unsecured, any lien securing such claim is not avoided other<br>than as provided by law or order of the court.  |
| Part 2: PLAN TERMS   |
| Debtor proposes the following Plan terms and makes the following declarations:   |
| Section I. PLAN PAYMENT AND LENGTH OF PLAN   |
| A. Monthly Plan Payments will begin 30 days from the date the bankruptcy petition was filed. If the payment due date falls on the 29 <sup>th</sup> , 30 <sup>th</sup> , or 31 <sup>st</sup> day of the month, payment is due on the 1 <sup>st</sup> day of the following month (LBR 3015-1(k)(1)(A)).  |
| Payments by Debtor of: \$ 850.00 per month for months 1 through 60 totaling \$ 51,000.00 .  For a total plan length of 60 months totaling \$51,000.00.   |
| the United States Banker into Court for the Control District of California   |

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B. Nonpriority unsecured claims.

The total amount of estimated non-priority unsecured claims is \$27,453.33.

- 1. Unless otherwise ordered by the court, after Class 1 through Class 4 creditors are paid, allowed nonpriority unsecured claims that are not separately classified (Class 5) will be paid *pro rata* per the option checked below. If both options below are checked, the option providing the largest payment will be effective.
  - a. Thercentage plant 1% of the total amount of these claims, for an estimated total payment of \$280.52.
  - b. **Residual" plan:** The remaining funds, after disbursements have been made to all other creditors provided for in this Plan, estimated to pay a total of \$280.52 and 1% to claims in Class 5. The amount distributed to Class 5 claims may be less than the amount specified here depending on the amount of secured and priority claims allowed.
- 2. Minimum Plan payments. Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least the greater of the following amounts:
  - (a) the sum of \$0.00, representing the liquidation value of the estate in a hypothetical Chapter 7 case under 11 U.S.C. § 1325(a)(4), or
  - (b) if Debtor has above-median income and otherwise subject to 11 U.S.C. § 1325(b), the sum of \$\_\_\_\_, representing all disposable income payable for 60 months under the means test.
- C. Income tax refunds. Debtor will provide the Chapter 13 Trustee with a copy of each income tax return filed during the Plan term within 14 days of filing the return and, unless the Plan provides 100% payment to nonpriority unsecured creditors (Class 5), will turn over to the Chapter 13 Trustee all federal and state income tax refunds received for the term of the plan. The Debtor may retain a total of \$500 of the sum of the federal and state tax refunds for each tax year. Income tax refunds received by the debtor and turned over to the Chapter 13 Trustee or directly turned over to the Chapter 13 Trustee by the taxing authorities do not decrease the total amount of payments stated in Section I.A., above. The refunds are pledged to the plan in addition to the amounts stated in Section I.A. and can be used by the Chapter 13 Trustee to increase the percentage paid to general unsecured creditors without further order of the Bankruptcy Court.
- D. In the event that secured creditor(s) file a Notice of Postpetition Fees and Costs pursuant to FRBP 3002.1(c), the Chapter 13 Trustee is authorized, but not required, to commence paying those charges 90 days after that notice is filed, unless within that time the Debtor contests those charges by filing a motion to determine payment under FRBP3002.1(e) or agrees to pay those charges by filing a motion to modify this Plan.
- E. Debtor must make preconfirmation adequate protection payments for any creditor that holds an allowed claim secured by personal property where such security interest is attributable to the purchase of such property and preconfirmation payments on leases of personal property whose allowed claim is impaired by the terms proposed in this Plan. Debtor must make preconfirmation adequate protection payments and preconfirmation lease payments to the Chapter 13 Trustee for the following creditor(s) in the following amounts:

| Greditor/Lessor Name | Collateral Description | Lest 4 Digits of Account # | - Amount |
|----------------------|------------------------|----------------------------|----------|
| -NONE-               |                        |                            |          |

Each adequate protection payment or preconfirmation lease payment will accrue beginning the 30th day from the date of filing of the case. The Chapter 13 Trustee must deduct the foregoing adequate protection payment(s) and/or preconfirmation lease payment from Debtor's Plan Payment and disburse the adequate protection payment or preconfirmation lease payment to the secured creditor(s) at the next disbursement or as soon as practicable after the payment is received and posted to the Chapter 13 Trustee's account. The Chapter 13 Trustee will collect his or her statutory fee on all receipts made for preconfirmation adequate protection payments or preconfirmation lease payments.

F. Debtor must not incur debt greater than \$1,000 without prior court approval unless the debt is incurred in the

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ordinary course of business pursuant to 11 U.S.C. §1304(b) or for medical emergencies.

- G. The Chapter 13 Trustee is authorized to disburse funds after the date the Plan confirmation is announced in open court.
- H. Debtor must file timely all postpetition tax returns and pay timely all postconfirmation tax liabilities directly to the appropriate taxing authorities.
- I. Debtor must pay all amounts required to be paid under a Domestic Support Obligation that first became payable after the date of the filing of the bankruptcy petition.
- J. If the Plan proposes to avoid a lien of a creditor, the Chapter 13 Trustee must not disburse any payments to that creditor on that lien until the Plan confirmation order is entered.
- K. Debtor must pay all required ongoing property taxes and insurance premiums for all real and personal property that secures claims paid under the Plan.

#### Section II. ORDER OF PAYMENT OF CLAIMS; CLASSIFICATION AND TREATMENT OF CLAIMS:

Except as otherwise provided in this Plan, the Chapter 13 Trustee must disburse all available funds for the payment of claims as follows:

#### A. ORDER OF PAYMENT OF CLAIMS:

- 1st If there are Domestic Support Obligations, the order of priority will be:
  - (a) Domestic Support Obligations and the Chapter 13 Trustee's fee not exceeding the amount accrued on Plan Payments made to date;
  - (b) Administrative expenses (Class 1(a)) until paid in full;

If there are no Domestic Support Obligations, the order of priority will be:

- (a) The Chapter 13 Trustee's fee not exceeding the amount accrued on Plan Payments made to date:
- (b) Administrative expenses (Class 1(a)) until paid in full.
- 2nd Subject to the 1st paragraph, *pro rata* to all secured claims and all priority unsecured claims until paid in full except as otherwise provided in this Plan..
- 3rd Non-priority unsecured creditors will be paid *pro rata* except as otherwise provided in this Plan. No payment will be made on nonpriority unsecured claims until all the above administrative, secured and priority claims have been paid in full unless otherwise provided in this Plan.

#### B. CLASSIFICATION AND TREATMENT OF CLAIMS:

#### CLASS 1

#### ALLOWED UNSECURED CLAIMS ENTITLED TO PRIORITY UNDER 11 U.S.C. §507

Class 1 claims will be paid in full pro rata. Any treatment that proposes to pay claims in Class 1(a) or 1(b) less than in full must be agreed to in writing by the holder of each such claim and specifically addressed in Section IV.D.

Unless otherwise ordered by the court, the claim amount stated on a proof of claim, and the dollar amount of any allowed administrative expense, controls over any contrary amount listed below.

|     | GATEGORY  | AMOUNT-OF.<br>PRIORITY CLAIM                       | RATE/IT/any                                 | TOTAL:   |
|-----|---|--|---|--|
| ä.  | Administrative Expenses   |  |   |  |
| (1) | Chapter 13 Trustee's Fee – es   | timated at 11% of all pa                           | ayments to be made to                       | o all classes through this Plan.   |
| (2) | Attorney's Fees   | \$5,000.00   |   | \$5,000.00   |
| (3) | Chapter 7 Trustee's Fees  |  |   | ·  |
| (4) | Other   |  |   |  |
| (5) | Other   |  |   |  |
| b.  | Other Priority Claims   |  |   |  |
| (1) | Internal Revenue Service  | 1  |   |  |
| (2) | Franchise Tax Board   |  |   |  |
| (3) | Domestic Support Obligation   |  |   |  |
| (4) | Other   | \$0.00   | 0%  | \$0.00   |
| (5) | Other   | \$0.00   | 0%  | \$0.00   |
| C.  | Domestic Support Obligations to Plan pursuant to §1322(a)(4) (the months)  (specify creditor name): | hat have been assigne<br>nis provision requires th | d to a governmental unat payments in Part 2 | init and are not to be paid in full in the<br>2 Section I.A. be for a term of 60 |

☐ See attachment for additional claims in Class 1.

#### CLASS 2

CLAIMS SECURED SOLELY BY PROPERTY THAT IS DEBTOR'S PRINCIPAL RESIDENCE ON WHICH OBLIGATION MATURES <u>AFTER</u> THE FINAL PLAN PAYMENT IS DUE

Check one.

Case 6:21-bk-11030-WJ Doc 11 Filed 03/02/21 Entered 03/02/21 11:25:17 Main 2 Do To Lend e 201/28/2 Plage 16 De pet c 202/28/21 15:10:19 Case 6:21-bk-11030-WJ Main Document Page 6 of 15 None. If "None" is checked, the rest of this form for Class 2 need not be completed. Debtor will maintain and make the current contractual installment payments on the secured claims listed below, with any changes required by the applicable contract and noticed in conformity with any applicable rules. Unless otherwise ordered by the court, these payments will be disbursed either by the Chapter 13 Trustee or directly by Debtor, as specified below. Debtor will cure the prepetition arrearages, if any, on a listed claim through disbursements by the Chapter 13 Trustee, with interest, if any, at the rate stated. The arrearage amount stated on a proof of claim controls over any contrary amount listed below. POST-LAST 4 ESTIMATED **ESTIMATED** AMOUNT OF PETITION NAME OF DIGITS OF INTEREST MONTHLY PAYMENT TOTAL ARREARAGE RATE PAYMENT ON ACCOUNT CREDITOR IF ANY DISBURSING **PAYMENTS** ARREARAGE NUMBER LAGENT **Gregory Funding** xxxxx1-636 \$4,760,70 0.00% \$79.35 \$4,760,70 □lTrustee Debtor □Trustee Riverside County Tax xxx-xx3-006 \$0.00 0.00% \$0.00 \$0.00 Collector Debtor See attachment for additional claims in Class 2. CLASS 3A UNIMPAIRED CLAIMS TO BE PAID DIRECTLY BY DEBTOR Check one. None. If "None" is checked, the rest of this form for Class 3A need not be completed. Debtor will make regular payments, including any preconfirmation payments, directly to the following creditors in accordance with the terms of the applicable contract (Include Creditor Name and Last 4 Digits of Account Number): The claims of these creditors are unimpaired under the plan. See attachment for additional claims in Class 3A. **CLASS 3B** CLAIMS SECURED BY REAL OR PERSONAL PROPERTY WHICH ARE TO BE BIFURCATED AND PAID IN FULL DURING THE TERM OF THIS PLAN.

Check one.

None. If "None" is checked, the rest of this form for Class 3B need not be completed.

Debtor proposes:

Bifurcation of Claims - Dollar amounts/lien avoidance. Except as provided below regarding bifurcation of claims into a secured part and an unsecured part, the claim amounts listed on a proof of claim control this Plan

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over any contrary amounts listed below.

- (a) <u>Bifurcated claims secured parts</u>: Debtor proposes that, for the purposes of distributions under this Plan, the dollar amount of secured claims in this Class 3B should be as set forth in the column headed "Secured Claim Amount." For that dollar amount to be binding on the affected parties, either
  - (i) Debtor must obtain a court order granting a motion fixing the dollar amount of the secured claim and/or avoiding the lien, or
  - (ii) Debtor must complete and comply with Part 2 Section IV.C., so that the Plan Itself serves as such a motion; the "Included" boxes must be checked in Part 1 Paragraphs 1.1 and/or 1.2 (indicating that this Plan includes valuation and lien avoidance, and/or avoidance of a judicial lien or nonpossessory, nonpurchase-money lien in Section IV.C.); and this Plan must be confirmed if any one of those conditions is not satisfied, then the claim will not be bifurcated into a secured part and an unsecured part pursuant to this sub-paragraph.
- (b) <u>Bifurcated claims unsecured parts</u>: Any allowed claim that exceeds the amount of the secured claim will be treated as a nonpriority unsecured claim in Class 5 below.

| NAME OF GREDITOR                      | LAST 4 DIGITS:<br>OF ACCOUNT<br>NUMBER | CLAIM<br>TOTAL | SECURED<br>CLAIM<br>AMOUNT | INTEREST | ESTIMATED<br>MONTHLY<br>PAYMENT | ESTIMATED:<br>TOTAL<br>PAYMENTS |
|---------------------------------------|--|----------------|----------------------------|----------|---------------------------------|---------------------------------|
| * * * * * * * * * * * * * * * * * * * | South the Same                         | St. + 17       | and the second             |          |                                 |                                 |

See attachment for additional claims in Class 3B.

#### CLASS 3C

CLAIMS SECURED BY REAL OR PERSONAL PROPERTY WHICH ARE TO BE PAID IN FULL DURING THE TERM OF THIS PLAN (WITHOUT BIFURCATION), INCLUDING CURE OF ARREARS, IF APPLICABLE.

Check all that apply.

- None, If "None" is checked, the rest of this form for Class 3C need not be completed.
- Debtor proposes to treat the claims listed below as fully secured claims on the terms set forth below. These claims will not be bifurcated. The claim amounts listed on a proof of claim control this Plan over any contrary amounts listed below.

#### IMPAIRED CLAIMS PAID THROUGH THE PLAN BY THE TRUSTEE

|  | Last 4 Digits<br>of Account<br>NUMBER | CLAIM TOTAL     | INTEREST<br>RATE | Estimated Monthly Payment | ESTIMATED TOTAL PAYMENTS |
|--|---------------------------------------|-----------------|------------------|---------------------------|--------------------------|
| Statebridge Company, LLC   | xxxxxx1840                            | \$33,303.45     | 3.00             | \$598.42                  | \$35,905.18              |
| B. De Communication of the Com | CHI                                   | PE AND MAINTAIN | CLAIMS           |                           |                          |

#### CURE AND MAINTAIN CLAIMS

Debtor will maintain and make the current contractual installment payments (Ongoing Payments) on the secured claims listed below pursuant to the terms of the applicable contract, except as stated otherwise in this Plan. These payments will be disbursed either by the Chapter 13 Trustee or directly by Debtor, as specified below. Debtor will cure

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and pay the prepetition arrearages, if any, on a claim listed below through disbursements by the Chapter 13 Trustee, with interest, if any, at the rate stated. The dollar amount of arrearage stated on a proof of claim controls over any contrary amount listed below.

| Name of S<br>Creditor | Last 4 Digits of<br>Account<br>Number | AMOUNT OF<br>ARREARAGE IP<br>ANY | INTEREST | Cure of Default.  ESTIMATED  MONTHLY  PAYMENT ON  ARREARAGE | ESTIMATED<br>TOTAL   | ONGOING<br>PAYMENT<br>DISBURSING<br>AGENT |
|-----------------------|---------------------------------------|----------------------------------|----------|---|--|---|
|                       |                                       |                                  |          |   |  | Trustee                                   |
|                       |                                       |                                  |          |   | and the second of the second o | Debtor                                    |

| c+  | _   | 11       | 4 . 6   | م مراج (1) ام ام م | -1-1-1    | in Olana | 20  |
|-----|-----|----------|---------|--------------------|-----------|----------|-----|
| 1 1 | 200 | attachme | ant tor | additiona          | ai ciaims | in Class | ാഗ. |

|   |  | CLASS 3D            |  |                                 |  |
|---|--|---------------------|--|---------------------------------|--|
|   | SECURED CLA                              | AIMS EXCLUDED F     | ROM 11 U.S.C.  | §506                            |  |
| Check one.  |  |                     |  |                                 |  |
| None. If "None" is checked  | d, the rest of this                      | s form for Class 3D | need not be con  | npleted.                        | •  |
| ☐ The claims listed below we  | re either:                               |                     | •  |                                 |  |
| Incurred within 910 days be vehicle acquired for the per            |  |                     | d by a purchase  | e money security i              | nterest in a motor   |
| 2. Incurred within 1 year of the p value.                           | etition date and                         | secured by a purch  | nase money sec   | urity interest in any           | other thing of   |
| These claims will be paid in full of claim controls over any contra |  |                     | ate stated below   | /. The claim amour              | t stated on a proof  |
| NAME OF CREDITOR  | LAST 4<br>DIGITS OF<br>ACCOUNT<br>NUMBER | CLAIM TOTAL         | INTEREST<br>RATE   | ESTIMATED<br>MONTHLY<br>PAYMENT | ESTIMATED<br>TOTAL<br>PAYMENTS   |
|   |  |                     |  |                                 |  |
| See attachment for additional                                       | claims in Class                          | 3D.                 | and the second s |                                 | and the second s |

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#### CLASS 4 OTHER CLAIMS ON WHICH THE LAST PAYMENT ON A CLAIM IS DUE AFTER THE DATE ON WHICH THE FINAL PLAN PAYMENT IS DUE. WHICH ARE PROVIDED FOR UNDER 11 U.S.C. §1322(b)(5) Check one. None. If "None" is checked, the rest of this form for Class 4 need not be completed. Debtor will maintain and make the current contractual installment payments (Ongoing Payments) on the secured claims listed below pursuant to the terms of the applicable contract, except as stated otherwise in this Plan. These payments will be disbursed either by the Chapter 13 Trustee or directly by Debtor, as specified below. Debtor will cure and pay the prepetition arrearages, if any, on a claim listed below through disbursements by the Chapter 13 Trustee, with interest, if any, at the rate stated. The dollar amount of arrearage stated on a proof of claim controls over any contrary amount listed below. Cure of Default AST 4 DIGITS OF ACCOUNT ESTIMATED ONGOING AMOUNT OF ESTIMATED NAME OF MONTHLY PAYMENT ON PAYMENT INTEREST ARREARAGE, TOTAL CREDITOR DISBURSING NUMBER RATE PAYMENTS IF ANY ARREARAGE AGENT Trustee Debtor

See attachment for additional claims in Class 4.

#### CLASS 5A

NON-PRIORITY UNSECURED CLAIMS NOT SEPARATELY CLASSIFIED

Allowed nonpriority unsecured claims not separately classified must be paid pursuant to Section I.B. above.

#### SEPARATE CLASSIFICATION:

Check all that apply if Debtor proposes any separate classification of nonpriority unsecured claims.

None. If "None" is checked, the rest of this form for Class 5 need not be completed.

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|  | CLASS 5B  |   |  |  |
|--|---|---|--|--|
| Maintenance of payments. Debtor will maintain all claims listed below on which the last payment is due as will be disbursed by Debtor.   |   |   |  |  |
| LAST 4 DIGITS OF ACCOUNT NUMBER  | DATE  | STIMATED<br>MONTHLY<br>PAYMENT  | ESTIMATED PAYMEN   | A CONTRACTOR OF THE PARTY OF TH |
| ☐ Other separately classified nonpriority unsecur  |   |   |  |  |
| NAME OF CREDITOR ACCOUNT NUMBER  | AMOUNT TO BE<br>PAID ON THE<br>CLAIM  | INTEREST<br>RATE  | ESTIMATED TO<br>AMOUNT OF PAY  |  |
| or the control of the  |   |   |  | ang Sangaran   |
| See attachment for additional claims in Class 5.   |   |   |  |  |
|  | CLASS 6   |   |  |  |
|  | C <b>LASS 6</b><br>R OF COLLATERAL  |   |  |  |
|  |   |   |  |  |
| SURRENDE   | R OF COLLATERAL   | completed,  |  |  |
| SURRENDE<br>Check one.   | R OF COLLATERAL  Class 6 need not be of the below the collateral under 11 U.S.C. § 36 ated in all respects. A | that secures<br>2(a) be termin  | ated as to the collai  | teral only   |
| SURRENDE  Check one.  None. If "None" is checked, the rest of this form for  Debtor elects to surrender to each creditor listed requests that upon confirmation of the Plan the stay and that the stay under 11 U.S.C. §1301 be terminal   | R OF COLLATERAL  Class 6 need not be of the below the collateral under 11 U.S.C. § 36 ated in all respects. A | that secures<br>2(a) be termin  | ated as to the collai  | teral only   |
| SURRENDE  Check one.  None. If "None" is checked, the rest of this form for  Debtor elects to surrender to each creditor listed requests that upon confirmation of the Plan the stay and that the stay under 11 U.S.C. §1301 be termina the disposition of the collateral will be treated in Class | Class 6 need not be of below the collateral under 11 U.S.C. § 36 ated in all respects. As 5 above.            | that secures 2(a) be termin ny allowed un 0,000 miles e in good conds deceased spesion and make | ated as to the collar<br>secured claim resul<br>ition/trade-in value<br>buse's name; her<br>s all payments and i | teral only<br>ting from  |

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|                       |  | CLASS 7   |
|-----------------------|--|---|
| Any executory con     |  | Y CONTRACTS AND UNEXPIRED LEASES les not listed below are deemed rejected.                                  |
| Check one.            |  |   |
| ☑ None. If "None"     | ' is checked, the rest of                            | this form for Class 7 need not be completed.  |
|                       | contracts and unexpired<br>ner party(les) to the con | l leases listed below are treated as specified ( <i>identify the contract or lease at tract or lease</i> ): |
| Creditor Name:        |  |   |
| Description: _        | ☐ Rejected   | Assumed; cure amount (if any): \$to be paid over months   |
| <b>Creditor Name:</b> |  | ·   |
| Description: _        | ☐ Rejected   | Assumed; cure amount (if any): \$<br>to be paid over months   |
|                       | cured within isbursements by the                     | months of filing of the bankruptcy petition. All cure payments will be Chapter 13 Trustee.                  |
| See attachment fo     | r additional claims in C                             | ass 7.  |

# Section III. PLAN SUMMARY

|          | and the second s |
|----------|--|
| CLASS 1a | \$5,000.00   |
| CLASS 1b | \$0.00   |
| CLASS 1c | \$0.00   |
| CLASS 2  | \$4,760.70   |
| CLASS 3B | \$0.00   |
|          |  |
| CLASS 3C | \$35,905.00  |
| CLASS 3D | \$0.00   |
| CLASS 4  | \$0.00   |
| CLASS 5A | \$280.50   |
| CLASS 5C | \$0.00   |

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| CLASS 7  | \$0.00      |
|--|-------------|
| SUB-TOTAL  | \$45,946.20 |
| CHAPTER 13 TRUSTEE'S FEE<br>(Estimated 11% unless advised otherwise) | \$5,053.80  |
| TOTAL PAYMENT  | \$51,000.00 |

#### Section IV. NON-STANDARD PLAN PROVISIONS

None. If "None" is checked, the rest of Section IV need not be completed.

Pursuant to FRBP 3015(c), Debtor must set forth all nonstandard Plan provisions in this Plan in this separate Section IV of this Plan and must check off the "Included" box or boxes in Paragraphs 1.1, 1.2, 1.3 and/or 1.4 of Part 1 of this Plan. Any nonstandard Plan provision that does not comply with these requirements is ineffective. A nonstandard Plan provision means any Plan provision not otherwise included in this mandatory Chapter 13 Plan form, or any Plan provision deviating from this form.

The nonstandard Plan provisions seeking modification of liens and security interests address only those

| liens and security interests known to Debtor, and known to be subject to avoidance, and all rights are reserved as to any matters not currently known to Debtor.   |
|--|
| A. Debtor's Intent to File Separate Motion to Value Property Subject to Creditor's Lien or Avoid Creditor's Lien [11 U.S.C. § 506(a) and (d)]. Debtor will file motion(s) to value real or personal property of the bankruptor estate and/or to avoid a lien pursuant to 11 U.S.C. § 506(a) and (d), as specified in Attachment A.  B. Debtor's Intent to File Separate Motion to Avoid Creditor's Judicial Lien or Nonpossessory, Nonpurchase Security Interest [11 U.S.C. § 522(f)]. Debtor will file a Motion to avoid a judicial lien or nonpossessory nonpurchase-money security Interest, on real or personal property of the bankruptcy estate listed below pursuant to 11 U.S.C. § 522(f). If the court enters an order avoiding a lien under 11 U.S.C. § 522(f), the Chapter 13 Trustee will not pay any claim filed based on that lien as a secured claim. |
| Name of Creditor Lienholder/Servicer:  |
| Description of lien and collateral (e.g., 2 <sup>nd</sup> lien on 123 Main St.):   |
| Name of Creditor Lienholder/Servicer:  |
| Description of lien and collateral (e.g., 2 <sup>nd</sup> lien on 123 Main St.):   |
| Name of Creditor Lienholder/Servicer:  |
| Description of lien and collateral (e.g., 2 <sup>nd</sup> lien on 123 Main St.):   |
|  |
| See attachment for any additional liens and security interests to be avoided by separate 11 U.S.C. § 522(f) motion.  |
| C. Debtor's Request in this Plan to Modify Creditor's Secured Claim and Lien. Debtor proposes to modify the following secured claims and liens in this Plan without a separate motion or adversary proceeding - this Plan will serve as the motion to value the collateral and/or avoid the liens as proposed below. To use this option, Debtor must serve this Plan, LBR Form F 3015-1.02.NOTICE.341.LIEN.CONFRM and all related exhibits as instructed in that form. Note: Not all Judges will grant motions to value and/or avoid liens through this Plan. Please consult the specific Judge's Instructions/Procedures on the court's website for more information.   |

|   | Real property collateral (street address and/or legal description or document recording number, including county of recording):   |
|---|---|
| ř   | (attach page with legal description of property or document recording number as appropriate).   |
| Local | Other collateral (add description such as judgment date, date and place of lien recording, book and page number):   |
|   | 11 U.S.C. § 522(f) – Debtor seeks avoidance of your lien(s) on the above described collateral effective immediately upon Issuance of the order confirming this Plan.  |
|   | 11 U.S.C. § 506(a) and (d) — Debtor seeks avoidance of your lien(s) on the above described collaters that will be effective upon the earliest to occur of either payment of the underlying debt determined under nonbankruptcy law or one of the following: |
|   | (1) discharge under 11 U.S.C. § 1328, or  |
|   | (2) Upon completion of all Plan payments.   |
| herefo<br>id/or li  | ucing equity (to which subject lien can attach): \$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\   |
| nount c   | of remaining secured claim (negative results should be listed as \$-0):\$   |
|   | e other parts of this Plan for the proposed treatment of any remaining secured claim (generally Class 3).   |

#### V. REVESTING OF PROPERTY

Property of the bankruptcy estate will not revest in Debtor until a discharge is granted or the case is dismissed or closed without discharge. Revesting will be subject to all liens and encumbrances in existence when the case was filed, except those liens avoided by court order or extinguished by operation of law. In the event the case is converted to a case under Chapter 7, 11, or 12 of the Bankruptcy Code, the property of the estate will vest in accordance with applicable law. After confirmation of this Plan, the Chapter 13 Trustee will not have any further authority or fiduciary duty regarding use, sale, or refinance of property of the estate except to respond to any motion for proposed use, sale, or refinance as required by the LBRs. Prior to any discharge or dismissal, Debtor must seek approval of the court to purchase, sell, or refinance real property.

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By filling this document, the Attorney for Debtor, or Debtor if not represented by an attorney, also certify(les) that the working and order of the provisions in this Plan are identical to those contained in the Central District of California Chapter 13 Plan other than any nonstandard Plan provisions included in Section IV.

Date:

FEB 2 8 2021

Summer Shaw, Esq. Attorney for Debtor

Perry Chobertson Debtor 1

Debtor 2

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# ATTACHMENT A to Chapter 13 Plan/Confirmation Order (11 U.S.C. §§ 508: valuation/lien avoidance by separate motion(s))

| •        | Preditor Lienholder/Servicer: Subject Lien (e.g., 2 <sup>nd</sup> Lien on 123 Main  |
|----------|---|
|          | St.);   |
|          |   |
|          | Subject Lien (e.g., 3 <sup>rd</sup> Lien on 123 Main St.):  |
|          | reditor Lienholder/Servicer: Subject Lien (e.g., 4 <sup>th</sup> Lien on 123 Main St.):   |
|          | reditor Lienholder/Servicer: Subject Lien (e.g., 2 <sup>nd</sup> Lien on 456 Broadway):   |
|          | reditor Lienholder/Servicer: Subject Lien (e.g., 3 <sup>rd</sup> Lien on 456 Broadway):   |
|          | reditor Lienholder/Servicer: Subject Lien (e.g., 4 <sup>th</sup> Lien on 456 Broadway):   |
|          | reditor Lienholder/Servicer: Subject Lien (e.g., 2 <sup>nd</sup> Lien on 789 Crest Ave.):   |
|          | editor Lienholder/Servicer: Subject Lien (e.g., 3 <sup>rd</sup> Lien on 789 Crest Ave.):  |
|          | editor Lienholder/Servicer: Subject Lien (e.g., 4 <sup>th</sup> Lien on 789 Crest Ave.):  |
| a        | additional pages for more liens/provisions.)  |
| io<br>st | FICATION: I have prepared this attachment (including any additional pages) for use by the Chapter 13 Truster under penalty of perjury under the laws of the United States of America that the Information provided in this nent is accurate to the best of my knowledge after reasonable inquiry, and I acknowledge that the Chapter 13 has no duty to verify the accuracy of that information.  FEB 2 8 2021 |
|          |   |